

THE BAR ASSOCIATION OF)	BEFORE
BALTIMORE CITY)	THE SUPREME BENCH
vs.)	OF
GEORGE L. PENDLETON)	BALTIMORE CITY

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To the Honorable, the Judges of the Supreme Bench of Baltimore City:

The PETITION of the Bar Association of Baltimore City against George L. Pendleton, by Gustav F. Sanderson and Hall Hammond, its attorneys, respectfully represents as follows:

I

That George L. Pendleton was admitted to the Bar of this Court on the 29th day of October, 1906 and has continued since said time and now still is a member of the Bar of this Honorable Court, although said Pendleton was disbarred from practice by the United States Court for the District of Maryland and his name stricken from its roster of attorneys, by order of said Court dated November 4, 1928, for unprofessional conduct similar to that hereinafter set forth.

II

That the Grievance Committee of the Bar Association of Baltimore City, the said Bar Association being the petitioner herein, conducted an investigation into the conduct of the said George L. Pendleton, especially as hereinafter more particularly described and upon which the charges hereinafter set forth are based; that in the course of said investigation George L. Pendleton was given an opportunity to appear before the said Committee, but neglected to avail himself of the opportunity so presented to him.

III

That following this investigation the Grievance Committee recommended

to the Executive Committee of the Bar Association of Baltimore City, that action be taken against the said George L. Pendleton before the Supreme Bench of Baltimore City, with the prayer that disciplinary measures be taken against him for conduct unbecoming a member of the Bar of this Court.

IV

That the Executive Committee of said Association approved the recommendation of the Grievance Committee and directed its attorneys herein to present to the Supreme Bench of Baltimore City a petition setting forth the charges against the said George L. Pendleton and praying the Supreme Bench of take such disciplinary action against him as to said Court may seem proper.

V

The petitioner avers that George L. Pendleton has been guilty of conduct unbecoming and unworthy of a member of the Bar of this Court and has disqualified himself from the right of practicing as an attorney of this Court, for the following reasons:

(a) The said George L. Pendleton after full hearing before the Hon. William C. Coleman, Judge of the District Court of the United States, for the District of Maryland, was disbarred as a member of that Court by its order dated November 4, 1928, for the institution without prior investigation of the facts, of groundless and improper actions against defendants under no possible liability to his clients.

(b) That on April 11, 1933, the said George L. Pendleton with the desire to stir up litigation and cause his employment, improperly and wrongfully advised one George Suiter that certain deeds and legal papers prepared for him by Linwood L. Clark, a member of the Bar of this Court, had caused him to lose all interest and right in his (Suiter's) property and urged that

Suiter employ him (Pendleton) to recover said property. Pendleton continued his efforts to have Suiter employ him, but without success, and thereafter without authority prepared certain purported reconveyances from the said Linwood L. Clark to the said Suiter. Upon being told by Suiter that he was without authority to represent him, Pendleton sent him a bill for one hundred and twenty-five dollars (\$125.) and brought suit against him thereafter in the People's Court for one hundred dollars (\$100.), joining the said Linwood L. Clark as defendant, although the said Clark had had no connection with, or knowledge of, the transaction aside from the fact that he had for some twenty years represented Suiter.

On May 22, 1933, at the hearing in the People's Court, judgment was rendered against Pendleton in favor of both defendants. On the next day, May 23, 1933, Pendleton brought suit against Suiter in the Superior Court of Baltimore City on the same facts and joined in said suit his own client, Dr. William R. Boyken, as defendant, the said Boyken having first introduced him to Suiter, but having no other connection with the matter. On June 6, 1933, Pendleton brought a suit against Linwood L. Clark in the Superior Court of Baltimore City for one thousand dollars (\$1,000.) on the same cause of action and without justification of any kind, the said Linwood L. Clark not having had any dealings with Pendleton, directly or indirectly. Pendleton thereafter brought and unsuccessfully prosecuted an appeal from the judgment of the People's Court.

On June 3, 1933, a suit for ten thousand dollars (\$10,000.) was brought in the Superior Court of Baltimore City by Pendleton against one Benjamin F. Lucas, a friend of Suiter's, who was present during one of the conversations of Pendleton and Suiter, and whose

only connection with the matter was, that he had offered to lend Suiter some money and thus, according to Pendleton, was the cause of Suiter's not employing him.

(c) On November 12, 1932, suit was filed by George L. Pendleton by himself as his attorney, G.L. Pendleton, against the Chesapeake & Potomac Telephone Company of Baltimore City. The suit purported to be brought under the Speedy Judgment Act of Baltimore City and annexed as the cause of action were two statements for professional services rendered by G. L. Pendleton as attorney to George L. Pendleton in the amounts of one thousand dollars (\$1,000.) and two thousand dollars (\$2,000.) for services before the Public Service Commission of Maryland, and "In the matter of damages claimed" against the Telephone Company, respectively. The services before the Commission consisted of two letters to that body and the services "In the matter of damages claimed" consisted in refusing to discuss his claim with the company, despite their many efforts to have him do so. Pendleton had failed to make payments for his telephone service, and after numerous warnings, the service was discontinued on July 2, 1932. The Company obtained a judgment by default against Pendleton for the amount claimed, in the People's Court. A small payment thereafter was made and the judgment stricken out, on November 8, 1932. The fall issue of the directory closed on October 3, and said Pendleton's name was omitted from the listing, as he was not a subscriber at that time. The omission of his name from the directory consisted of the basis of these suits under the Speedy Judgment Act. A demurrer was filed to the declaration and sustained, as was a demurrer to the first and second amended declarations. A third amended declaration was filed and Particulars were demanded and an exception was sustained as to their sufficiency. A second

amended Bill of Particulars to a third Declaration was filed. Exceptions were filed to these Particulars and the right to show cause why judgment of non pros should not be entered, was passed. Pendleton refused to admit service or accept a copy of this order, after reading it. Thereafter he dismissed his suit but brought a second one to the August Return Day, 1933, alleging the omission of his name from the fall directory of 1932 and the discontinuance of his service in that year "with a malicious intent to wreck and ruin the well-established thrity-six of professional service."

VI

Your petitioner avers that the actions of the said George L. Pendleton in bringing unjustified and unjustifiable actions is a perversion of the functions of the Court and an abuse of process, and that such action brought in his own name, without basis, against defendants improperly brought into Court and subjected to annoyance, loss and expense, reveal that the said George L. Pendleton should be disbarred from practice by this Court. Your petitioner avers that his conduct as set forth in regard to the Suiter matter and the Telephone Company matter, reveal that the disbarment of the Federal Court in 1928 has had no effect in deterring him from continuing the course of conduct which caused disbarment, and that this tendency which has manifested itself in action over the period of a number of years, requires that he should be disbarred.

WHEREFORE your petitioner prays that this Honorable Court will pass an order for the appropriate discipline of the said George L. Pendleton by disbarring him, or otherwise subjecting him to such discipline as to this Court may seem right and proper.

THE BAR ASSOCIATION OF BALTIMORE CITY

By Burdette Bill Chater
President

Gustav F. Sanderson
Hall Hammond
Attorneys for Petitioner

STATE OF MARYLAND, CITY OF BALTIMORE, TO WIT:

I HEREBY CERTIFY that on this 21st day of December, 1933, before me, the subscriber, a Notary Public of the State of Maryland, in and for Baltimore City aforesaid, personally appeared Nelson E. Sherwood acting Secretary of the Grievance Committee of The Bar Association of Baltimore City, and made oath in due form of law that the matters and facts set forth in the foregoing petition are true as therein stated, to the best of his knowledge, information and belief.

AS WITNESS my hand and Notarial Seal.

William Howard
Notary Public

Upon the foregoing petition and affidavit it is this 22^d day of December, 1933, by the Supreme Bench of Baltimore City, ORDERED that George L. Pendleton, the respondent herein, show cause, if any he have, on or before the 27 day of January, 1934, why he should not be disbarred from practicing law within the jurisdiction of this Court, or why such other disciplinary order should not be passed affecting him as to this Honorable Court may seem proper, because of his alleged misconduct, provided a copy of this order and of said petition be served upon him on or before the 30th day of December 1933.

Samuel A. Dennis
Chief Judge of the
Supreme Bench of
Baltimore City

Before the Supreme Bench
of Baltimore City

THE BAR ASSOCIATION OF
BALTIMORE CITY

VS.

GEORGE L. PENDLETON

1228 Pa Ave

PETITION FOR DISBARRMENT *Order*

Mr. Clerk,

Please file.

Gustav F. Sanderson

Hall Hammond
Attorneys for Petitioner

HALL HAMMOND

ATTORNEY AT LAW

213 ST. PAUL PLACE

BALTIMORE, MD.

Filed

DEC 22 1933

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Copy of the within Petition and Order of Court
Served on George L. Pendleton. on the 22nd Day
of December 1933 in Presence of August J. Bichy

Joseph L. Wiegman
Sheriff

Fee \$0.75

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OFFICE

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1933

THE BAR ASSOCIATION OF
BALTIMORE CITY

: BEFORE THE SUPREME BENCH

:

-vs-

:

-of-

GEORGE L. PENDLETON

:

BALTIMORE CITY

:

The Answer of GEORGE L. PENDLETON by GEORGE W. F. McMECHEN and
W. ASHBIE HAWKINS, his attorneys, respectfully represents as follows:

-First-

That he admits his admission to the Bar of this Honorable Court
at the time set out in said Petition, and of his continuance as an
active practitioner therein, until the present time. He admits
further as alleged in paragraph No. 1 of said Petition, that on the
4th day of November, 1928, he was disbarred from practice in the
United States Court for the District of Maryland, for unprofessional
conduct, ~~but alleges that it may yet develop, that the action of said~~
~~court, in striking his name from its roster of attorneys, may have~~
~~been done prematurely.~~

-Second-

That he admits receiving notice of the hearing to be had in his
case before the Grievance Committee of the Bar Association, but his
absence was due to the inability of the counsel to be present, who
had agreed to represent him, as he was a member of the Legislature,
which was then in special session, and when this respondent was
apprised of this situation, he notified the Committee, and requested
another opportunity to appear before it, which request he afterwards
learned, was refused, and your respondent respectfully submits, that
his non-attendance was by no means, an attempt by him to show any
indifference to the demands of the Committee.

-Third-

That your Respondent neither admits nor denies the actions of
the Committee, as alleged in paragraphs Nos. 2 and 3, but assumes their

correctness, because of his belief in the fairness of those who composed it.

-Fourth-

That your Respondent admits the institution of the suits against the defendants named in the allegations, set out specifically in paragraph No. 5, and filed in his own name as attorney, with the results therein set forth, but he avers that in no instance was there any element or moral obliquity to be found in any of his efforts; that he may have been entirely mistaken in the methods he employed in establishing his own rights, or of those whom he believed he had a right to serve in the capacity of attorney and client, but he denies fully and completely, that his actions in bringing these suits, were in no way unjustified, or unjustifiable, even if this Honorable Court should regard them as improperly brought, or prosecuted. He further avers, that each of the suits which formed the gravamen of this complaint, have since the filing of the petition for his disbarment, been dismissed.

-Fifth-

That your Respondent avers, that he was admitted to practice before the Courts of this State, both Federal and State, more than thirty years ago, and has since practiced with some success in different tribunals in nearly every section of the State, and has undertaken to conduct himself with propriety and to live up to the traditions of the law, that he has about reached his 70th year of age, and at this late stage of life, to disbar him from the practice of his profession, will work a great hardship upon him, and will be the occasion for pauperizing him and his family.

WHEREFORE, your Respondent prays your Honors, that the aforesaid petition for his disbarment be hence dismissed.

BEFORE THE SUPREME BENCH

-of-

BALTIMORE CITY

THE BAR ASSOCIATION OF
BALTIMORE CITY

-VS-

GEORGE L. PENDLETON

ANSWER TO PETITION

MR. CLERK:

PLEASE FILE.

George N. Mechen
W. Ashby Hawkins
ATTORNEYS FOR RESPONDENT

Service of Copy Admitted
this 26th of Jan., 1934
Hall Hamm

HAWKINS & McMECHEN

ATTORNEYS AT LAW

14 E. PLEASANT STREET

BALTIMORE, MD.

FILED

JAN 27 1934

The Bar Association of Baltimore City :
 vs :
 George L. Pendleton. :

IN THE SUPREME BENCH
 OF BALTIMORE CITY.

The above cause having come on for hearing before the Supreme Bench of Baltimore City upon the petition of the Bar Association of Baltimore City and the answer of George L. Pendleton, testimony was taken, including that of the said George L. Pendleton, the proceedings were read and considered.

It is thereupon Ordered by the Supreme Bench of Baltimore City this third day of February, 1934, that the said George L. Pendleton be and he is hereby ~~suspended~~ from the further practice of the law in this State, in accordance with Section 10-E of Article 10 (Volumn 3) of the Annotated Code.

Samuel A. Dennis

Robert L. Stanton

Charles F. Stein

John W. Bond

George A. Salton

John N. Whelan

Albert J. Brown

627.

Order of Court.

Under the provisions of the Act of March 3, 1875, Chapter 13, Section 1, the following proceedings were had and considered.

That the said proceedings were had and considered by the Court on the 3rd day of February, 1934, and the Court is of the opinion that the same should be affirmed.

James H. [illegible]

Filed
Feb'y 3rd 1934.